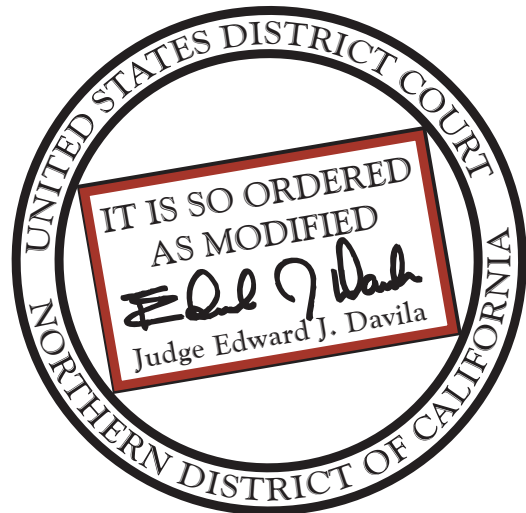


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[Additional Counsel Appear on Signature Page]

Attorneys for Plaintiff and the Proposed Class



UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ALAN BRINKER, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

NORMANDIN'S, a California corporation,
d/b/a NORMANDIN CHRYSLER JEEP
DODGE RAM, and ONECOMMAND, INC.,

Defendants.

NO. 5:14-cv-03007-EJD-HRL
AMENDED
**STIPULATION AND [PROPOSED]
ORDER FOR EXTENSION OF
DEADLINES IN THE CASE
MANAGEMENT ORDER [ECF
DOCKET NO. 49] PURSUANT TO
LOCAL RULE 6-2**

JURY TRIAL DEMAND

HON. EDWARD J. DAVILA

Complaint Filed: July 1, 2014

DATE:

TIME:

LOCATION: Courtroom 4 – 5th Floor

I. STIPULATION

IT IS HEREBY STIPULATED AND AGREED TO BY AND BETWEEN THE
PARTIES AND THEIR COUNSEL OF RECORD AS FOLLOWS:

STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DEADLINES IN
THE CASE MANAGEMENT ORDER [ECF DOCKET NO. 49] PURSUANT TO
LOCAL RULE 6-2 - 1

CASE No. 5:14-cv-03007-EJD-HRL

WHEREAS, on December 12, 2014, this Court issued a Case Management Order (Dkt. No. 25). Plaintiff subsequently, on January 29, 2015, sought leave to file an Amended Class Action Complaint for Damages and Declaratory Relief, adding new defendant, OneCommand, Inc. (Dkt. No. 30). On February 12, 2015, Normandin filed a Notice of Non-Opposition and further sought leave to file a cross claim against OneCommand (Dkt. No. 32). This Court granted both requests for relief on March 9, 2015 (Dkt. No. 35).

WHEREAS, on May 26, 2015, this Court issued a Case Management Order (Dkt. No. 49) extending the case deadlines. The parties continued to engage in discovery thereafter, but there have been delays in the Defendants' production of information in response to discovery, the Defendants' have requested a protective order, and the parties' submitted their request for resolution of their discovery disputes on August 20, 2015 (Dkt Nos. 60-62). The parties have continued to pursue discovery, but these discovery issues have not yet been resolved, and all parties anticipate more time will be needed to complete significant discovery, including depositions of witnesses in California, and perhaps in Ohio.

NOW THEREFORE, the parties hereby stipulate that the deadlines in the Case Management Order be extended as follows:

EVENT	CURRENT DEADLINE	PROPOSED NEW DEADLINE
File Class Certification Motion	11/20/2015	3/4/2016
Response to Class Certification	1/19/2016	4/8/2016
Reply to Class Certification	2/18/2016	4/22/2016
Hearing on Class Certification Motion	3/17/2016, 9:00 a.m.	5/20/2016, at a time set by the Court
Plaintiff's Designation of Opening Experts with Reports	11/20/2015	3/4/2016
Defendants' Designation of Opening Experts with Reports	1/19/2016	4/8/2016

STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DEADLINES IN THE CASE MANAGEMENT ORDER [ECF DOCKET NO. 49] PURSUANT TO LOCAL RULE 6-2 - 2

CASE No. 5:14-cv-03007-EJD-HRL

EVENT	CURRENT DEADLINE	PROPOSED NEW DEADLINE
Designation of Rebuttal Experts with Reports	2/18/2016	5/12/2016
Expert Discovery Cutoff	3/3/2016	6/11/2016
Deadline discovery motions expert discovery	3/10/2016	6/16/2016
Fact Discovery Cutoff	3/17/2016	7/12/2016
Deadline discovery motions regarding fact discovery	3/24/2016	7/15/2016
Deadline file dispositive motions; Last day to file; contact courtroom deputy for actual hearing date	5/5/2016	8/5/2016
File Joint Preliminary Conference Statement	3/17/2016	9/15/2016
Preliminary Pretrial Conference	3/24/2016, 11:00 a.m.	9/22/2016, at a time set by the Court

IT IS SO STIPULATED.

RESPECTFULLY SUBMITTED AND DATED this 12th day of November, 2015.

TERRELL MARSHALL LAW GROUP PLLC BUSTAMANTE & GAGLIASSO, APC

By: /s/ Adrienne D. McEntee, Admitted
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STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DEADLINES IN
THE CASE MANAGEMENT ORDER [ECF DOCKET NO. 49] PURSUANT TO
LOCAL RULE 6-2 - 3

CASE No. 5:14-cv-03007-EJD-HRL

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Inc.*

STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DEADLINES IN
THE CASE MANAGEMENT ORDER [ECF DOCKET NO. 49] PURSUANT TO
LOCAL RULE 6-2 - 4

CASE No. 5:14-cv-03007-EJD-HRL

II. LOCAL RULE 5-1(I)(3) STATEMENT

Pursuant to Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from counsel for all parties, and that I will maintain records to support this concurrence by all counsel subject to this stipulation as required under the local rules.

DATED this 12th day of November, 2015.

TERRELL MARSHALL LAW GROUP PLLC

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Attorneys for Plaintiff and the Proposed Class

III. [PROPOSED] ORDER

Good cause appearing hereto, the Court issues the following Order: The deadlines in the Case Management Order shall be extended as follows:

EVENT	CURRENT DEADLINE	PROPOSED NEW DEADLINE
File Class Certification Motion	11/20/2015	3/4/2016
Response to Class Certification	1/19/2016	4/8/2016
Reply to Class Certification	2/18/2016	4/22/2016
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Deadline file dispositive motions; Last day to file; contact courtroom deputy for actual hearing date	5/5/2016	8/5/2016
File Joint Preliminary Conference Statement	3/17/2016	9/15/2016
Preliminary Pretrial Conference	3/24/2016, 11:00 a.m.	9/22/2016 at 11:00 am

STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DEADLINES IN THE CASE MANAGEMENT ORDER [ECF DOCKET NO. 49] PURSUANT TO LOCAL RULE 6-2 - 6
CASE No. 5:14-cv-03007-EJD-HRL

1 IT IS SO ORDERED.

2 Plaintiff's Motion to Certify Class (Docket No. 50) is terminated without prejudice to being re-
3 filed as outlined in the proposed schedule.

4 Dated: 11/13/2015

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UNITED STATES DISTRICT JUDGE

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STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DEADLINES IN
THE CASE MANAGEMENT ORDER [ECF DOCKET NO. 49] PURSUANT TO
LOCAL RULE 6-2 - 7
CASE No. 5:14-cv-03007-EJD-HRL

CERTIFICATE OF SERVICE

I, Adrienne D. McEntee, hereby certify that on November 12, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Cross Defendant OneCommand, Inc.

DATED this 12th day of November, 2015.

STIPULATION AND [PROPOSED] ORDER FOR EXTENSION OF DEADLINES IN
THE CASE MANAGEMENT ORDER [ECF DOCKET NO. 49] PURSUANT TO
LOCAL RULE 6-2 - 8

CASE No. 5:14-cv-03007-EJD-HRL

TERRELL MARSHALL LAW GROUP PLLC

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